

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RYAN M. JINDRA,

Defendant.

)
)
)
)
)
)
)
)
)

8:10CR43

ORDER

This matter is before the court on the motion of David A. Domina, Terry A. White and the DominaLaw Group pc llo to withdraw as counsel for the defendant, Ryan M. Jindra (Jindra) (Filing No. 24). The court held hearings on July 16, 2010 (Filing No. 28), July 29, 2010 (Filing No. 30), and August 13, 2010 (Filing No. 34). The court determined the motion to withdraw should be granted. The motion to withdraw (Filing No. 24) is granted and substitute counsel will be appointed.

The court finds Jindra is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. The Federal Public Defender for the District of Nebraska is appointed to represent Jindra for the balance of these proceedings and shall file an appearance in this matter. The clerk shall provide a copy of this order to the Federal Public Defender.

The DominaLaw Group shall provide forthwith the Federal Public Defender with the discovery materials provided the defendant by the government and such other materials obtained by the DominaLaw Group which are material to Jindra's defense.

In order to provide new counsel adequate time to consider and prepare pretrial motions, the deadline for filing pretrial motions will be continued to September 24, 2010. During the hearing on August 13, 2010, Jindra requested such additional time and acknowledges the time provided would be excluded from the computations under the Speedy Trial Act. The additional **time** arising as a result of the granting of the request, i.e., the time between **August 13, 2010 and September 24, 2010**, shall be deemed

excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

IT IS SO ORDERED.

DATED this 16th day of August, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge